

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JUN 04 2002 35

MARK NEWBY, ET AL.,

Plaintiff,

vs.

ENRON CORPORATION, ET AL.,

Defendants.

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MICHAEL M. MILEY, CLERK OF COURT

CIVIL ACTION NO. H-01-3624
AND CONSOLIDATED CASES

**MOTION TO SUBSTITUTE UPDATED FIRST PAGE OF
REPLY ON MOTION FOR ENTRY OF PRELIMINARY SCHEDULING ORDER FOR
COMPLAINTS CONSOLIDATED INTO *NEWBY* AND PURSUED BY PERSONS
OTHER THAN COURT-APPOINTED LEAD PLAINTIFF
AND RESPONSES TO MOTION BY *AMERICAN NATIONAL* PLAINTIFFS FOR
ESTABLISHMENT OF SUBCLASS
AND THE ADDITIONAL RELIEF SOUGHT BY THE *WILT* PLAINTIFFS**

THE HONORABLE JUDGE OF THIS COURT:

LJM Cayman, L.P., Chewco Investments, L.P., and Michael J. Kopper (collectively, "Movants") request that the Court authorize the substitution of the attached updated first page of their Reply with respect to their motion for entry of a preliminary scheduling order to govern securities fraud complaints consolidated into this matter that may be pursued by persons in the future other than the Court-appointed Lead Plaintiff. This updated first page reflects the addition of another defendant as joining in the reply brief.

WHEREFORE PREMISES CONSIDERED, Movants respectfully request that this Court substitute the attached first page for the first page of their Reply filed with this Court on June 3, 2002.

Respectfully submitted,

By: 

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Attorneys for Movants LJM Cayman, L.P.,
Chewco Investments, L.P., and Michael J. Kopper

CERTIFICATE OF SERVICE

This pleading was served in compliance with the orders of this Court and Rule 5b of the Federal Rules of Civil Procedure on June 4, 2002.



Eric J.R. Nichols

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
JUN 01 2009

MARK NEWBY, ET AL.,

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**REPLY ON MOTION FOR ENTRY OF PRELIMINARY SCHEDULING ORDER FOR
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THE HONORABLE JUDGE OF THIS COURT:

LJM Cayman, L.P., Chewco Investments, L.P., and Michael J. Kopper (collectively, “Movants”) file this reply with respect to their motion for entry of a preliminary scheduling order to govern securities fraud complaints consolidated into this matter that may be pursued by persons in the future other than the Court-appointed Lead Plaintiff. Movants also respond to two matters raised in response to this motion: (1) a request filed by the *American National* plaintiffs to create a subclass and to appoint American National Insurance Company as subclass representative and (2) a request by the *Wilt* plaintiffs to engage in discovery.¹

¹Counsel for Movants have been advised that the following persons or entities, who have been named as defendants in one or more of the cases consolidated into *Newby* or in one or more of the cases to be consolidated in this Court pursuant to orders entered by the Judicial Panel on Multidistrict Litigation join in this reply and responses: Arthur Andersen, LLP; Thomas Bauer; the Estate of J. Clifford Baxter, Deceased; Robert A. Belfer; Norman P. Blake, Jr.; Richard B. Buy; Debra Cash; Richard A. Causey; Ronnie C. Chan; John H. Duncan; Andrew S. Fastow; Paulo V. Ferraz Pereira; Joe H. Foy; Mark A. Frevert; D. Stephen Goddard; Gary Goolsby; Wendy L. Gramm; Joseph M. Hirko; Stanley C. Horton; Robert K. Jaedicke; Steven J. Kean; Mark E. Koenig; Kenneth Lay; Charles A. LeMaistre; Rebecca Mark-Jusbasche; Michael S. McConnell; Jeffrey McMahon; John Mendelsohn; J. Mark Metts; Jerome J. Meyer; Kristina Mourdant; Ben Neuhausen; Michael C. Odom; Cindy K. Olson; Kenneth D. Rice; Frank Savage; John Stewart; Joseph W. Sutton; Nancy Temple; John A. Urquhart; John Wakeham; Charles E. Walker; Roger Willard; and Herbert S. Winokur, Jr.